

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

RICHARD L. HUGG, )  
Plaintiff, ) No. CV-05-3077-MWL  
v. ) ORDER GRANTING JOINT  
JO ANNE B. BARNHART, ) MOTION FOR REMAND  
Commissioner of Social )  
Security, )  
Defendant. )

The parties have filed a stipulation for remand of the above captioned case to the Commissioner for further administrative proceedings. (Ct. Rec. 21). The parties have consented to proceed before a magistrate judge. (Ct. Rec. 6). After considering the stipulation,

**IT IS ORDERED** that the above-captioned case be remanded for further administrative proceedings. Upon remand, the ALJ shall:

1) consolidate Plaintiff's application for Supplemental Security Income ("SSI") disability benefits filed on June 18, 2003, with his subsequent application for SSI disability benefits filed on October 27, 2005; 2) associate the claim files and issue a new decision on the consolidated claims; 3) consider the severity of Plaintiff's impairments, specifically addressing his peripheral neuropathy; 4) consider the opinions of William C. Bothamley, M.D.

1 (AR 86-87, 90-91, 181-183), Emily Moser, M.D. (AR 109, 130, 142),  
2 and N.E. Staley, M.D. (AR 119-126); 5) consider Plaintiff's  
3 subjective complaints and her residual functional capacity; and  
4 5) if necessary, further consider, with the assistance of  
5 additional vocational expert testimony, Plaintiff's ability to  
6 perform other work in the national economy.

7 This Court hereby reverses the Commissioner's decision under  
8 sentence four of 42 U.S.C. § 405(g) with a remand of the cause to  
9 the Commissioner for further proceedings. See *Melkonyan v.*  
10 *Sullivan*, 501 U.S. 89 (1991).

11 **IT IS FURTHER ORDERED:**

12 1. The parties Joint Motion to Remand (**Ct. Rec. 21**) is  
13 **GRANTED**.

14 2. Judgment shall be entered for the **PLAINTIFF**.

15 3. An application for attorney fees may be filed by  
16 separate motion.

17 4. The District Court Executive is directed to enter this  
18 Order, forward copies to counsel, and thereafter shall **close** this  
19 file.

20 DATED this 14<sup>th</sup> day of April, 2006.

21  
22 \_\_\_\_\_ S/ Michael W. Leavitt \_\_\_\_\_  
23 MICHAEL W. LEAVITT  
24 UNITED STATES MAGISTRATE JUDGE  
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